

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:16-00166

TIMOTHY JORDAN

MEMORANDUM OPINION AND ORDER

Pending before the court is defendant's motion to reschedule his supervised release modification hearing, currently scheduled for November 6, 2018, in Bluefield, West Virginia. (ECF No. 47). According to the motion, defendant does not have transportation to Bluefield. Defendant requests that the hearing be rescheduled for Charleston and at a time prior to 11:00 a.m. to accommodate his work schedule.

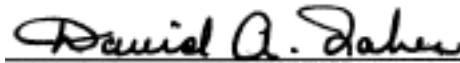
The court's next scheduled date to hold court in Charleston is December 18, 2018, and the court's current schedule will not permit the scheduling of a hearing in Charleston at an earlier date. The court is hesitant to continue the modification hearing for that length of time. The court has also considered other options, including defendant's waiver of his presence at the modification hearing and/or holding the hearing by videoconference, and is not satisfied that either option is acceptable. However, after consultation with the Probation Office, the court **GRANTS** defendant's motion and the modification hearing in this matter is **RESCHEDULED** for Tuesday, December 18, 2018, at 11:00 a.m., in Charleston. Should the Probation Office

determine that circumstances have changed such that an earlier hearing becomes necessary it should notify the court immediately.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record, the United States Marshal for the Southern District of West Virginia, and the Probation Office of this Court.

IT IS SO **ORDERED** this 5th day of November, 2018.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge